

Notice of Allowability	Application No.	Applicant(s)	
	10/701,143	HOLLAND, STEVEN W.	
	Examiner	Art Unit	
	BEN C. WANG	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed September 8, 2010.
2. ☒ The allowed claim(s) is/are 22-42 (Renumbered as 1-21).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20101105</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____. |
|--|---|

/Ben C Wang/
Examiner, Art Unit 2192

/Michael J. Yigdall/
Primary Examiner, Art Unit 2192

DETAILED ACTION

1. Applicant's amendment dated September 48, 2010, responding to the Office action mailed June 8, 20010 provided in the rejection of claims 22-37, wherein claims 22 and 27 have been amended, and claims 38-42 have been newly added.

Further, in the interest of compact prosecution, the examiner is authorized by Mr. Michael R. Nye (Reg. No. 62,126) on November 3, 2010 in a telephone interview to further amend the claims 22, 27, and 32 (see Examiner's Amendment below) to obviate any potential 35 U.S.C 101 and/or 112, second paragraph issues and subsequently uses those newly amend claims for further examination.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Nye (Reg. No. 62,126) on November 3, 2010 to further amend claims 22, 27, and 32 (see Examiner's Amendment below) and thus to obviate any potential 35 U.S.C 101 and/or 35 U.S.C 112, second paragraph issues and to place the claims in the condition for allowance.

4. The application has been amended as follows:

IN THE CLAIMS,

Please amend claims 22, 27, and 32 as follows:

22. (Currently Amended) A software management system for use in a vehicle, comprising:

a portable memory device adapted to store software files and diagnostic information;

multiple vehicle processors connected to a system bus of the vehicle and each adapted to generate diagnostic information indicating success of software installation on the respective vehicle processor, wherein the diagnostic information for each respective vehicle processor includes an indication of a software version installed on the respective vehicle processor;

a communications port of the vehicle;

an interface processor connected to the communications port and the system bus, wherein the interface processor is adapted to, when the portable memory device is connected to the communications port:

identify software files stored on the portable memory device for each of the multiple vehicle processors,

load the identified software files onto the multiple vehicle processors, and

transmit the diagnostic information received from the multiple vehicle processors to the portable memory device; and

an external processor having a communications port and adapted to receive the diagnostic information from the portable memory device and to analyze the diagnostic information to determine successful software installation on the vehicle.

27. (Currently Amended) A vehicle comprising:

a communications port;

multiple vehicle processors connected to a system bus of the vehicle and adapted to generate diagnostic information indicating success of software installation on the multiple vehicle processors, wherein the diagnostic information indicates installed software versions on the multiple vehicle processors; and

an interface processor connected to the communications port and the system bus, wherein the interface processor is adapted to, when a portable memory device is connected to the communications port:

identify software files stored on the portable memory device for each of the multiple vehicle processors,

load the identified software files onto the multiple vehicle processors, and

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transmit the diagnostic information received from the multiple vehicle processors to the portable memory device, wherein the diagnostic information is acquired from the portable memory device and analyzed by an external processor.

32. (Currently Amended) A vehicle software installation method for use in vehicle assembly, comprising:

establishing communication between a portable memory device and an interface processor of a vehicle via a communications port of the vehicle, wherein the interface processor is connected to multiple vehicle processors of the vehicle via a system bus of the vehicle;

employing the interface processor to identify, for each of the multiple vehicle processors, software files on the portable memory device, and to load the software files received over the communications port onto the multiple vehicle processors;

installing the software files on the multiple vehicle processors;

transferring diagnostic information indicating success of software installation from the multiple vehicle processors to the portable memory device via the interface processor, wherein the diagnostic information indicates installed software versions on the multiple vehicle processors;

establishing communication between the portable memory device and an external processor via a communications port of the external processor; and

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analyzing the diagnostic information via the external processor to determine success of software installation in the vehicle.

- END OF AMENDMENT -

Allowable Subject Matter

5. Claims 22-42 (renumbered as 1-21) are allowed.

6. The following is an examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fails to at least suggest

"...

a portable memory device adapted to store software files and diagnostic information;

multiple vehicle processors connected to a system bus of the vehicle and each adapted to generate diagnostic information indicating success of software installation on the respective vehicle processor, wherein the diagnostic information for each respective vehicle processor includes an indication of a software version installed on the respective vehicle processor;

a communications port of the vehicle;

an interface processor connected to the communications port and the system bus, wherein the interface processor is adapted to, when the portable memory device is connected to the communications port:

identify software files stored on the portable memory device for each of the multiple vehicle processors,

load the identified software files onto the multiple vehicle processors, and

transmit the diagnostic information received from the multiple vehicle processors to the portable memory device; and

an external processor having a communications port and adapted to receive the diagnostic information from the portable memory device and to analyze the diagnostic information to determine successful software installation on the vehicle.”, as recited in independent claims 22 and similarly recited in independent claims 27 and 32 respectively.

7. Thus, all remaining dependent claims (23-26, 38), (28-31, 39-40), and (33-37, 41-42) are considered allowable by virtue of their dependence on allowable independent claims 22, 27, and 32 respectively.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben C. Wang whose telephone number is (571) 270-1240. The examiner can normally be reached on 8:00-5:30 (EST/EDT), Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ben C Wang/

Examiner, Art Unit 2192

/Michael J. Yigdall/

Primary Examiner, Art Unit 2192